

FILED

MAR 10 2015

**U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS**

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. **4:15CR00104 NAB**
)
LaSHONDA BOSTIC,)
)
Defendant.)

INFORMATION

COUNT 1

False Statements Involving Federal Health Care Benefit Program

The United States Attorney charges that:

INTRODUCTION

1. At all times relevant to this information, the defendant LaShonda Bostic was a resident of St. Louis, Missouri.

2. In or about September 2010, the defendant began working for Midwest Home Health, Inc. (Midwest) as a home health care aide, also known as a “personal care attendant.” In or about September 2011, the defendant also began working with Deer Valley Home Health Services (Deer Valley) as a personal care assistant. Her association with both agencies lasted through at least September 2013.

3. Medicaid is a health care benefits program, jointly funded by the states and the federal government, which reimburses health care providers for services rendered to eligible low income individuals. The federal government funds Medicaid through the Centers for Medicare and Medicaid Services (CMS), which is a division of the U.S. Department of Health & Human Services (HHS).

4. In Missouri, the MO HealthNet Division, an agency within the Missouri Department of Social Services, administers the Medicaid program. In order to become a provider in the Medicaid program, the prospective provider must file and have an application accepted by the program. Deer Valley and Midwest are Medicaid providers.

5. MO HealthNet reimburses providers for personal care services, which are defined in Missouri as medically-oriented services provided in the individual's home to assist with the activities of daily living and to meet the physical needs of the individual. MO HealthNet also pays for "Consumer-Directed Services" (CDS), which is a type of personal care service. The CDS program's stated purpose, as with all personal care, is to allow physically disabled Medicaid recipients (called "consumers" in the CDS Program) to receive personal care services, that enable them to live independently. CDS services are provided by personal care assistants, whom the consumer personally selects.

6. Deer Valley and Midwest, both located in St. Louis County, provide or facilitate personal care services to persons who require them. Personal care assistants, including those associated with Deer Valley and Midwest, must submit timesheets reflecting the dates and times they provided personal care services. Both Deer Valley and Midwest submit reimbursement claims to the Medicaid program based on the timesheets provided to them by the personal care assistants. Deer Valley and Midwest pay the personal care assistants, based on the number of hours reported on their timesheets. Medicaid pays the agency that submits the claims for reimbursement, and the agency subsequently pays the personal care assistants.

FALSE REIMBURSEMENT CLAIMS

7. As a personal care assistant associated with Deer Valley, the defendant was to provide services to Patient O.S. and to Patient J.L., a close relative. As a Midwest employee, the defendant was to provide personal care services to Patient R.L. and to Patient L.R. For periods during 2013, the defendant was also employed at U.S. Bank, where she typically worked eight-hour shifts.

8. On numerous days in 2013, the defendant submitted timesheets to Deer Valley and Midwest, wherein she falsely and fraudulently stated that she had provided personal care services. There were over 130 days in 2013, where the defendant's timesheets show that she was in two places at the same time. On some of these timesheets, the defendant falsely stated that she was providing personal care services to two patients - - in the home of each patient at the exact same time. The patients did not live together and their homes were miles apart. In other timesheets, the defendant falsely stated that she had provided personal care services when she was in fact working at U.S. Bank.

9. In many instances, the combined hours per day that the defendant reported to Midwest, Deer Valley, and U.S. Bank left no time for her to travel from her home to U.S. Bank or the patients' homes. There were at least 30 days where the defendant falsely reported on her timesheets that she worked more than 20 hours per day. On some occasions, the defendant falsely stated in her timesheets that she had worked more than 23 hours on consecutive days; the following are examples: May 13, 14, 15, and 16, 2013; May 20, 21, 22, and 23, 2013; June 17 and 18, 2013; and July 9, 10, and 11, 2013.

10. On or about July 11, 2013, in the Eastern District of Missouri,

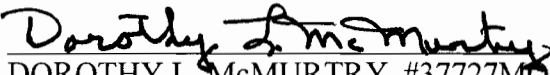
LaSHONDA BOSTIC,

the defendant herein, in a matter involving a health care benefit program, knowingly and willfully made or caused to be made a false statement or representation of a material fact for use in determining rights to payment from Missouri Medicaid, a Federal health care benefit program, that is, she falsely stated in her timesheet for July 11, 2013, that she had provided personal care services to Patient J.L., Patient L.R., and Patient O.S. in their homes, when she knew she was working at U.S. Bank on the day and times indicated in the timesheet.

In violation of Title 42, United States Code, Section 1320a-7b(a)(1)(ii).

Respectfully submitted,

RICHARD G. CALLAHAN
United States Attorney



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UNITED STATES OF AMERICA)
EASTERN DIVISION)
EASTERN DISTRICT OF MISSOURI)

I, Dorothy L. McMurtry, Assistant United States Attorney for the Eastern District of Missouri, being duly sworn, do say that the foregoing information is true as I verily believe.


DOROTHY L. McMURTRY, #37727MO

Subscribed and sworn to before me this 10th day of March, 2015


CLERK, U.S. DISTRICT COURT

By: 
DEPUTY CLERK